

REMARKS

Claims 1-12 stand rejected under 35 USC 102(e) as being anticipated by Morrill. This rejection is respectfully traversed. In claim 1, applicants claim a method for using various Internet access networks with mobile Internet-compatible communication terminal devices.

The claimed method: 1) provides, in said Internet access networks, at least one respective interface for a cash-free payment for a use of one of the respective Internet access networks which is a respective Internet access network; 2) sets up a traffic relationship to the at least one respective interface in a framework of a logon of a mobile communication terminal device in said respective Internet access network; and 3) utilizes the respective Internet access network using one of said mobile communication terminal devices which is a communication terminal device after said cash-free payment via said at least one respective interface that is effected by said communication terminal device.

According to this claimed method, a user of a mobile communication device who is not registered with an Internet service provider and/or already connected to the Internet is able to obtain access to the Internet. The user can obtain Internet access by providing cash-free payment at an interface for use of the Internet access network. After the cash free payment is received, the user is provided Internet access by an Internet access network.

Morrill fails to disclose a method of providing a user who is not registered with an Internet service provider and/or already connected to the Internet access to the Internet as claimed. Specifically, the Examiner asserts that:

. . . Morrill discloses that Internet may be used to may [sic] cashless payment transactions, as pointed out in the previous Office Action (col. 10, lines 60-65). The user may also use cashless payment in Internet access networks for the registration of the Internet users with any freely selectable Internet operation (col. 3, line 65 to col. 6, line 12).

Column 10, lines 60-65, of Morrill discloses the use of a mobile wireless telephone in combination with a personal computer as a means of ensuring a high degree of security during a

cashless payment. Cashless payments occur via the Internet, with the wireless telephone being used as a "PIN input device" for the inputting of authentication information. This section of Morrill presupposes that an Internet connection is already provided to the user. Accordingly, this section of Morrill fails to provide any description of how a mobile communication terminal device, especially a mobile communication terminal device which is not registered with an Internet service provider, can gain access to the Internet.

Further, column 3, line 65 to column 6, line 12, of Morrill only discloses the use of mobile wireless telephones to transfer monetary sums between "mobile phone accounts" or "between other pre-arranged financial accounts." In other words, the participating parties or communication terminal devices are already registered in the mobile wireless network, so that a connection between the registered parties can be established at any time. A payment transaction implemented via the Internet is also not disclosed in this section. Thus, this section also fails to disclose how a mobile communication terminal device, which is not registered with an Internet service provider, can gain access to the Internet.

Since Morrill fails to disclose how a user of a mobile communication device who is not registered with an Internet service provider and/or already connected to the Internet is able to obtain access to the Internet, claim 1 should be allowed. Claims 2-12, which depend from claim 1, should be allowed for at least the same reasons.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection

with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 449122031000. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: May 9, 2005

Respectfully submitted,

By 
Jonathan Bockman

Registration No.: 45,640
MORRISON & FOERSTER LLP
1650 Tysons Blvd, Suite 300
McLean, Virginia 22102
(703) 760-7769